

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

JAN 27 2023

OTIS FOBLE
Plaintiff

§

Nathan Ochsner, Clerk of Court

§ Civil Action No. H-22-0191

v.
SERGANT FNU COLLINS,
Defendant

§

Motion for Appointment of counsel

I'm asking the courts once ^(2nd Time) again to Appoint me an attorney due to the fact that I cannot get any information, records, of any kind relating to my case ~~with~~ ^{on} without any attorney. I've tried on several occasions to get vital information and documents that I must have to prove my case true and I keep getting denied access to this information because I am incarcerated and I do not have an attorney. I'm also indigent and ~~still~~ have no knowledge of the correct way to handle a Civil Lawsuit. ~~I~~ I have given you one of the letters I wrote Harris County Jail concerning my legal records at the jail and I also gave you their response to me. It clearly states that ~~first~~ ^{first} since I'm incarcerated they will not give me any ~~documents~~ ^{documents} I ask for. And Second any correspondence should be through my Attorney. Can you please appoint me one.

I'm trying to prepare for the Discovery part of this case and it is very clear to me that without an Attorney I ~~can~~ can not and will not get the documents I need ~~that~~ that the Harris County Jail has, to prove my case true. Thank You

Otis Fogle 1/23/2023
Otis Fogle

This is one of the letters I mailed to Harris County Jail concerning retrieving my Documents and Records. I attached their response to this letter.

UTIS Page 1/1-12
D2361550
Cotulla Unit
610 FM 624
Cotulla, Tx. 78014

Greetings,

On June 10, 2021 my face was fractured in three places nose, cheekbone and ear canal. I was escorted to the 1200 Baker St. Infirmary where one of the four officers took pictures of my battered face next they did X-rays on my face. The X-rays confirmed I had three fractures to my face. I was sent to Ben Taub Hospital for Medical Treatment. When I returned to Harris County Jail I immediately filed Grievance # 40453. ~~an officer~~ An officer brought me my Grievance Receipt with the ~~date~~ date on it (6/10/2021) with the finding of OIG/IAD or Bureau Investigation signed by Supervisor "Rene Villaloboz" as his determination after his investigation of my Grievance. I was given a second receipt from the Inmate Grievance Board (Erica A. Fisher) 6/10/2021 Admin Services Division that my grievance was under investigation and to not file any other grievances in ~~reference~~ reference to this matter. I've wrote Internal Affairs, I've asked ranking officers, I filed other Grievances concerning the results of the Internal Affairs investigation and after one year and four months after the day of the incident Internal Affairs has not contacted me. I need the four officers names that were involved in the incident (also the Sgt. on Duty). The only reply I get when asking for the deputies names is ~~that~~ that information will be available to me when the Internal Affairs Investigation is done. Use of force was documented, pictures were taken, an incident report had to of been filed. Please I need the officers names (and the Sgt. on Duty) and also the results of the Internal Affairs Investigation. Thank you.

Any and all documents concerning the incident would

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SHERIFF ED GONZALEZ

1200 Baker Street, Houston, Texas 77002 ★ (346) 286-1600 ★ www.sheriff.hctx.net

November 14, 2022

Otis Fogle /A-12
TDCJ-CID # 02361550
Cotulla Unit
610 FM 624
Cotulla, TX 78014

We have reviewed your request for information, but are constrained to decline to accept or comply with your request. Under Texas law, a governmental body is not required to accept or comply with a request from an individual who is confined or imprisoned in a correctional facility, including the Harris County Jail facilities. *See* Tex. Gov't Code § 552.028(a)(1); Tex. Pen. Code § 1.07(a)(14)(a). Unfortunately, the Harris County Sheriff's Office does not have the necessary budget or legal staff to allow its personnel to accept and comply with prisoners' requests for records. The Sheriff's Office recommends that you direct all future correspondence concerning your underlying case to your counsel of record.

Sincerely,
Legal Services